“And (O Muslim Women) remain steadfast in your homes.” (Surah Ahzaab)

“Awaman is ‘Aurah’ when she emerges (from her home) shaitaan (lays in ambush) and surreptitiously follows her.” (Tirmidhi)

WHERE DO PIOUS AND WOMEN PERFORM THEIR SALAAT

BY

Hadhrat Moulana Mufti Kifaayatullaah Dehlevi

(May Allaah have mercy on him)

Grand Mufti of Hind.

WHERE DO PIOUS WOMEN PERFORM THEIR SALAAT?

PREFACE

نحمده و نصلي علي رسوله الكريم .....أمّا بعد:

A few days prior to the first of September 1997 someone sent a question to the Daarul Iftaa at Daarul Uloom Deoband:

"What is the Shar`i ruling regarding women performing Salaat in the Masjid with congregation? Is it permissible or not? Or do the Ulama-e-Kiraam merely prohibit it because of some cogent or underlying reason?"

The Daarul Iftaa had replied to the question according to their normal practice, but it appears that this reply of theirs did not suit the needs of the questioner. Either he or someone else had edited and doctored the original fatwa and published it. In fact, they had altered the fatwa to include the word *'Haraam'*. This gave rise to a furious debate and point of discussion in the local papers.

Many people asked me regarding the ruling of whether it is Haraam or not for women to come into the Masjid. I had replied: *No! There are many instances where women come and go through the Masjid, whilst in the state of cleanliness.*

The people then asked me regarding the fatwa which prohibits women from entering the Masjid. I informed them that this fatwa relates to the five times daily Salaat and specifically to

women attending the Masjid at night-time. This prohibition has been issued in order to prevent fitnah.

My ‘interrogators’ then stated that the Masjid is a place of sanctity and there can be no fear of fitnah therein. I informed them that the fitnah is not in the Masjid but rather when they leave their homes and whilst they are on the road. There is especially a greater fear if the Masjid is far away and if they have to walk at night. It is also virtually impossible that each woman who attends the Masjid is able to have a *mahram* to accompany her for all Salaats.

Salaat which is a great institution in Islaam needs to be protected and safeguarded, hence this fatwa and ruling has been transmitted throughout the ages by none other than the Sahaabah (radhiallahu anhum). This is no new ruling in Islaam.

Since the original fatwa of Daarul Uloom Deoband had not been properly afforded its due justice and the people have been left in a quandary regarding its actual purport, it is only proper that we apprise the public regarding the true facts and the proper Shar`i ruling regarding this matter.

Besides the fatwa in question the Daarul Uloom had also issued another more detailed fatwa on this issue, which we deem appropriate to publish.

Besides the fataawa of the Daarul Uloom, there is an excellent treatise on this subject by Mufti Kifaayatullah Saahib Dehlwi, entitled *Salaatus Saalihaat* (the Salaat of the pious women), which we have also included in our distribution drive.

In this little booklet of ours which is now in your hands, we have firstly written the two current fatwas of Daarul Uloom Deoband and after that the treatise by Mufti Kifaayatullah Sahib.

We have entitled the entire booklet, *Where Pious Women Perform Their Salaat.*

We trust that this treatise will enlighten all the readers to properly understand the situation at hand, thereby getting a clear understanding of the Shar`i viewpoint regarding the Salaat of women.

May Allaah Ta`ala make this booklet beneficial to all and make this a means of closing all doors to a pending fitnah.

Was Salaam
(Moulana) Marghoobur Rahmaan
Principal of Daarul Uloom Deoband
25 Jamaadul Ula 1418

THE FIRST FATWA OF DAARUL ULOOM DEOBAND

(number 680)

Question: What is the Shar`i ruling regarding women performing Salaat in the Masjid with congregation? Is it permissible or not? Or do the Ulama-e-Kiraam merely prohibit it because of some cogent or underlying reason? Kindly furnish us with a detailed reply. Was Salaam

Reply (no. 527): Bismillahir Rahmaan nir Raheem

(1). The wife of Hadhrat Abu Humaid Sa`idi (radhiallahu anhu), Hadhrat Umme Humaid (radhiallahu anha) came in the presence of Nabi (sallallahu alaihi wasallam) and asked, *"O Rasulullaah (sallallahu alayhi wasallam)! I desire to perform Salaat behind you (in congregation) in the Masjid (-e-Nabawi)."*

Nabi (sallallahu alaihi wasallam) replied, *"You desire to perform Salaat behind me, whereas your Salaat in the innermost corner of your home is better than your Salaat in your room, and your Salaat in your room is better than your Salaat in your courtyard and your Salaat in your courtyard is better than your Salaat in the Masjid of your village and your Salaat in your local Masjid is better than your Salaat in my Masjid (i.e. Masjid-e-Nabawi)."*

Thereafter she made herself a place for performing her Salaat in the darkest and innermost corner of her home. [Ahmad / Ibn Hibbaan / Ibn Khuzaima / Targheeb wa Tarheeb, page 58]

(2). Hadhrat Umme Salma (radhiallahu anha) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"A woman's Salaat in the inner most corner of her house is better than her Salaat performed in her room and it is better for her to read in her room than in her veranda and it is better for her to read Salaat in her house than in her local Masjid."* [Ibid]

(3). Hadhrat Aaishah (radhiallahu anha) reports that if Rasulullaah (sallallahu alayhi wasallam) had seen the condition of the women after his passing away then he would surely have prevented them from attending the Masjid just as the women of Bani Israeel were prevented from entering the Masjid. [Muslim Shareef, vol.1 page 183]

(4). Hadhrat Abu Amr Shaibaani (rahmatullahi alaih) reports that he personally witnessed Hadhrat Abdullah ibn Mas'ood (radhiallahu anhu) ejecting women from the Masjid on the day of Jumu'ah, saying to them, *"You people go and read Salaat in your homes. Your Salaat performed at home is better for you."* [Tibraani / Majmauz Zawahid, vol.1 page 156]

All four of the above narrations are authentic and it is clear from them that although the reward of performing Salaat in Masjid-e-Nabawi is fifty thousand times greater, the Salaat of a woman performed in her local Masjid warrants greater reward for her, and her salaah performed in her own home is more rewarding than even this. Furthermore, her Salaat which she performs in the innermost corner of her house bears more reward for her than that Salaat which is performed in the veranda or any room in her house.

Added to this are the explicit prohibitions of women performing Salaat in the Masjid which is borne out by the narration of Hadhrat Aaishah (radhiallahu anha) and the action of Hadhrat Abdullah ibn Mas'ood (radhiallahu anhu) where he had ejected women from Masjid-e-Nabawi.

Another point to remember is that Allaah Ta`ala has excluded women from leadership posts, Imaamat, Prophethood, Khilaafat and congregational Salaat. All these posts are exclusive to men. From these Ahaadith it is abundantly clear that Salaat in congregation has not been ordained for women, however, if a woman performs Salaat behind a man her obligation of Salaat will be fulfilled. For example the Shariah has not ordained that women go for Hajj without a mahram, but if a woman does go for Hajj without a mahram then the Fardh obligation of Hajj will be fulfilled.

Similarly if a woman attends her local Masjid for Salaat then although she will be deprived of great rewards, the obligation of Salaat will be fulfilled. The Fuqahaa have ruled that it is Makrooh-e-Tahrimi for women to attend the Masjid to perform Salaat.

Nevertheless, this prohibition has been passed so that women not be deprived of full reward. Another wisdom is that they be saved from *fitnah and fasaad* which is inherent with their emergence from the home, because as soon as a woman leaves the bastion of her home shaitaan lays in ambush and surreptitiously follows her around. This is according to the blessed words of Nabi (sallallahu alaihi wasallam).

Was-Salaam

Habeebur Rahmaan (May Allaah Ta`ala have mercy on him)
29th Rabiuth Thaani 1418

The second detailed Fatwa of Daarul Uloom Deoband [No. 781]

Question:

Is it obligatory or Sunnatul Muakkadah for women nowadays to attend a Masjid for congregational Salaat with the men? Kindly reply in the light of the Qur`aan Majeed and Hadith.

Answer [631]:
Bismillahir Rahmaanir Raheem

It is neither Fardh, Waajib, nor Sunnat-e-Muakkadah for women to attend the Masjid for the five times Salaat in congregation with men. **The fact of the matter is that there exists not even the weakest of weak Ahaadith which exhorts and encourages women to attend the Masjid.** In fact, the Shariah has not made it binding upon women to attend the Masjid like it has for men. Like it is narrated in Musnad Ahmad bin Hambal (rahmatullah alayh) from Hadhrat Abu Hurairah (radhiallahu anhu) that Nabi (sallallahu alayhi wasallam) said, *"Had it not been for the women and children in the homes, I would establish the Esha Salaat and instruct the youth to burn down those homes of the men who are not in the Masjid."*

This Hadith clearly proves that women are not ordained by the Shariah to attend the Masjid for Salaat, otherwise they would also have been included in Nabi's (sallallahu alayhi wasallam) chastisement like the men in the aforementioned Hadith. In fact, had it not been because of them (women) and children, the houses whose male occupants do not attend the Masjid for Salaat would have been burnt down.

Also, it has been reported in many Ahaadith that the Salaat of women in the innermost corner of their houses are the best. To such an extent that Nabi (sallallahu alayhi wasallam) even stated in one Hadith that the Salaat of women in their homes is better than their Salaat in Masjid-e-Nabawi. Ibn Khuzaimah has established a chapter specifically discussing this issue in his Saheeh, and he has made it crystal clear that the reward for Salaat performed in Masjid-e-Nabawi is reserved for men and not women. [See Ibn Khuzaima, vol. 3, page 94, chapter 177]

The reward for women is proportionate to the extent of their seclusion and concealment from men.

However there are such narrations wherein Nabi (sallallahu alayhi wasallam) said that if women request permission to attend the Masjid then they should not be prevented. There are also Ahaadith wherein Nabi (sallallahu alayhi wasallam) said that if women request attending the Musaajid at night (for Esha Salaat) then they should not be prevented. Some narrations state that when women emerge then they should not wear perfume. There are those who, when their eyes fall on such

narrations, jump about and celebrate, and classify the attendance of women in the Masjid as being Sunnat-e-Muakkadah. This they do even if they do not practice upon it. **Such narrations merely grant consent and show some level of permissibility for women to attend the Masjid for Salaat.** They do not receive any special reward neither are they exhorted to attend.

This consent was also only restricted to the need of the time, so that the women also perform Salaat behind Nabi (sallallahu alayhi wasallam) and be eye-witnesses to his manner of conduct. This has been stated so in *Ash-atul Lam`aat*, the *Sharah* of Mishkaat. (This motivation - for women to attend the Masjid - no longer exists).

Now have a look at those narrations which are the cause of the majority of the Fuqahaa of Islaam ruling that women are not allowed to attend the Masjid for congregational Salaat. That is, the initial consent and permissibility that existed during sacred the era of Nabi (sallallahu alayhi wasallam) no longer exists.

In this regard, Hadhrat Aishah (radhiallahu anha) states: *"Had Nabi (sallallahu alayhi wasallam) witnessed the condition of the women (today—i.e. during her era), he would most certainly have prohibited them from the Masaajid like the women of the Bani Israeel were prohibited."* [Bukhaari Shareef]

This Hadith is accepted by all the Muhadditheen as being authentic. This makes clear that immediately after the era of

Nabi (sallallahu alayhi wasallam), the condition of the women deteriorated considerably, such that if he had been alive, he would most certainly have prevented women from attending the Masjid like the women of the Bani Israeel were prevented from attending the Masaajid when the evil habits, practices and immorality became rampant.

This ruling, albeit directed at the women of the Bani Israeel, has not been abrogated in our Shariah. The prohibition of women attending the Musaajid can thus be taken to be from Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam), because the present-day immorality and mischief far supersedes that of the former times. This fact cannot be disputed by anyone.

This is the very reason why the Sahaabah (radhiallahu anhum) prevented the women from attending the Musaajid, because they saw the immorality creeping in. They then, introduced the un-abrogated ruling which pertained to the women of the Bani Israeel.

Therefore the prevention of women from attending the Musaajid, which was ruled by the Sahaabah (radhiallahu anhum), was done in accordance to the desire of Allaah Ta`ala and according to the teachings of His Rasool (sallallahu alaihi wasallam).

All the four Imaams of Fiqh, all the Muhadditheen and Fuqahaa, in fact, the majority of the Ummat are unanimous that due to the present-day immorality and mischief, it is

impermissible for women to attend the Musaajid for the Fardh Salaat. And Allaah Ta`ala knows best.

Habeebur Rahmaan (May Allaah Ta`ala have mercy on him).

17/05/1418

[This Fatwa was attested to by the following Muftis:

Nizaamuddeen

Muhammad Zafeerud Deen

Mahmood Bulandshari

Muhammad Abdullah Kashmeeri

Kafeelur Rahmaan]

THE TREATISE ON THE SALAAT OF PIOUS WOMEN

Bismillahir Rahmaanir Rahim

In Sha'baan 1334 A.H. someone presented a question to this insignificant writer asking whether it is permissible or not for women to attend lecture gatherings.

The questioner was a Hanafi, therefore we have replied in accordance to the Hanafi Math-hab. We deem the presentation of the Hanafi Fuqaha texts as being sufficient. As it is the answer is fairly lengthy. This is the reason why it has been

prepared into the form of a treatise, entitled, كف المومنات عن حضور الجمعات *"The prohibition of women attending public lectures and gatherings."* Haaji Abdurrahmaan Saheb has kindly printed and distributed the same [The original Urdu Kitaab was printed in 1334 A.H. and is extremely scarce. Their exists only one copy in the library of Darul Uloom Deoband – *Translator's note: The English translation of this Kitaab is presently available*.]

I would like to clarify at this juncture that I have not prepared the treatise of كف المومنات on the basis of any anmity or animosity. In fact I do not waste my time in getting myself involvled in unnecessary arguments and debates which eventually leads to animosity. I had been asked a question and simply replied it in the light of the Hanafi Math-hab citing various Hanafi references.

However today, on the 11th of Zul-Qa'dah 1334 A.H. I was made aware of a treatise entitled *Eid Ahmedi*. Its author is some Molvi Abdus Sattaar Saheb Kalaanuri, who has not only criticized and severely disparaged the author of كف المومنات, namely this humble writer, but also our great Ulama such Allaamah A'ini and other senior Hanafi Aimmah. He accused all of them as having acted contrary to the Hadith, he claimed that they did not understand the import of the Ahaadith, that they slandered Hadhrat Aishah (radhiallahu anha), etc., etc.

All said and done, if one merely peruses the book *Eid Ahmedi* from beginning to end then you will not find any such single line or argument worthy of an intelligent reply to what we have written in كف المومنات.

Although the Ahle-Ilm regarded *Eid Ahmedi* as being worthless and not of any consideration, nevertheless, in order to save the Muslim public from being ill-informed and labour under the misconception that the Hanafi stance on the issue of the prohibition of women emerging from their homes being a baseless issue and not one enjoined by the Shariah, I deemed it appropriate to clarify this mas'alah in greater detail, by presenting clear and authentic proofs from the Ahaadith of Nabi (sallallahu alaihi wasallam), the Sahaabah (radhiallahu anhum) and the Salf-e-Saaliheen.

I had prepared this treatise in order to clarify the actual mas'alah. I have hope that the Ahle-Ilm and intelligent people benefit from it and become informed and aware of the reality.

It is clear that the Hanafi Aimmah do not dispute the fact that during the era of Rasulullaah (sallallahu alayhi wasallam) the women would attend the Masjid for the five daily Salaat and the Eid Salaat. They would announce acceptance of this fact from the rooftops. It would however not be of any benefit to debate and oppose the Hanafi Fuqaha by only citing the Ahaadith pertaining to this issue which occurred during the era of Nabi (sallallahu alaihi wasallam).

The issue at hand and the point of contention is whether this ruling still applies at this day and age or not? We have written this treaty and discussed the issue in separate chapters.

CHAPTER ONE

Has the Shariah emphasized the attendance of women for congregational Salaat as it has done for men?

There is no Hadith which can be presented that may establish congregational Salaat as being emphasized for women. We have studied and scanned through many Ahaadith Kitaabs and their commentaries and have not found any such Hadith which exhorts and emphasizes women to attend congregational Salaat.

In fact we have come across narrations which teach the contrary.

Hadith 1

Hadhrat Abu Hurairah (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"**Had it not been for the women and children in the homes,** I would establish the Esha Salaat and instruct the youth to burn down those homes of the men who are not in the Masjid."* [Ahmed / Mishkaat]

Nabi (sallallahu alaihi wasallam) issued this warning referring to those men who do not attend the Esha Salaat with Jamaat. Every intelligent person will understand from this Hadith that Nabi (sallallahu alaihi wasallam) was referring to only the men who do not attend congregational Salaat. The only factor preventing Nabi (sallallahu alaihi wasallam) from instructing the burning of the homes was the fact that there were women and children in the homes.

The mentioning of women by Nabi (sallallahu alaihi wasallam) in this Hadith only proves and substantiates the contention that women are not obligated by the Shariah to attend

congregational Salaat. Otherwise there would have been included in Nabi's (sallallahu alaihi wasallam) chastisement.

Their presence in the home would not have been a barrier against Nabi (sallallahu alaihi wasallam) carrying out his threat. Since they are not enjoined by the Shariah to attend congregational Salaat in the Masjid like the men, they were not regarded as offenders against the Shariah by not being in the Masjid.

Similarly, all the Ahaadith which appear in chapter two prove the point that it is not necessary or incumbent for women to attend the Masjid for congregational Salaat.

CHAPTER TWO

Is it more virtuous and rewarding for women to perform Salaat in their homes or in the Masjid?

Hadith 2

Hadhrat Umme Salmah (radhiallahu anha) reports from Nabi (sallallahu alaihi wasallam) that he said, *"The best Musaajid for women are the innermost corner of their homes."* [Imaam Ahmad / Baihaqi / Kanzul Ummaal]

Hadith 3

Hadhrat Umme Salmah (radhiallahu anha) reports that Nabi (sallallahu alaihi wasallam) said, *"A woman's Salaat in the* ***innermost corner*** *of her house is better than her Salaat*

performed in ***her room*** *and it is better for her to read in her room than in* ***her veranda*** *and it is better for her to read Salaat in her house than in* ***her local Masjid.****"* [Tibraani / Kanzul Ummaal / Targheeb]

Hadith 4

It is reported from Umme Humaid, the wife of Abi Humaid As-Saa`idi from Nabi (sallallahu alaihi wasallam) that he said to her, *"I have been informed that you like to perform Salaat behind me, but your Salaat in* ***the innermost corner*** *of your house is better than your Salaat performed in* ***your room*** *and it is better for you to read in your room than in* ***your veranda*** *and it is better for you to read Salaat in your house than in your local Masjid and your Salaat performed in your local Masjid is better than your Salaat performed* ***in my Masjid.****"* [Imaam Ahmad / Ibn Hibbaan / Kanzul Ummaal]

Hadith 5

This Hadith has been cited in *Majma`uz Zawaahid* by Haithami and the following had been added: *She ordered (her house-people) to build for her a place to perform Salaat in the darkest and innermost corner of her home. She would perfrom her Salaat therein, until she met Allaah Ta`ala.* Haithami adds, *The narrators in this Hadith are all authentic, except for Abdullaah bin Suwaid Al-Ansaari, however Ibn Hibbaan had authenticated him.*

Hadith 6

Hadhrat Abdullaah ibn Mas'ood (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"The Salaat of a women in the corner of her home is better than her Salaat in her room. And her Salaat in the chamber (smallest room) is better than her Salaat in the corner of her house."* [Abu Dawood]

Hadith 7

Hadhrat ibn Mas'ood (radhiallahu anhu) states, *"The Salaat of a women in the corner of her house is better than her Salaat in her room and the Salaat in her room is better than the Salaat in the courtyard and the Salaat in her courtyard is better than the Salaat anywhere else (beyond the confines of the home)."* He further stated, *"Indeed when a women emerges from her home, shaitaan surreptitiously pursues her."* Reported by Tibraani in Kabir and all the narrators are authentic. [Majma'uz Zawaahid]

Hadith 8

It is also reported from Hadhrat Ibn Mas`ood (radhiallahu anhu) that he takes an oath, a firm oath, saying, *"There is no better place to perform Salaat for a woman than the corner of her home, except Hajj and Umrah, besides for that woman who has lost hope on a husband, and she is 'munqaleen'"* someone asked him what *'munqaleen'* meant, to which he replied, *"An old, weak and stumbling woman."* Tibraani reports this

narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

Hadith 9

Hadhrat Ibn Mas`ood (radhiallahu anhu) also stated, *"No woman performs a Salaat more beloved to Allaah Ta`ala than (the Salaat which she performs) in the darkest corner of her home."* Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

Hadith 10

Hadhrat Abdullaah Ibn Mas`ood (radhiallahu anhu) reports that Nabi (sallallahu alayhi wasallam) said, *"Women are aurah (objects of concealment). Indeed when they emerge (from their homes), shaitaan (lies in ambush and) surreptitiously follows her. Indeed, she is closest to Allaah Ta`ala in the innermost corner of her home."* Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

Hadith 11

It has been reported from Hadhrat Abdullaah Ibn Mas`ood (radhiallahu anhu) that he said, *"Indeed women are aurah. Indeed that woman who emerges from the home who has no*

flaw, shaitaan surreptitiously follows her, saying: 'You will not pass by anyone except that they will admire you.' When a woman dons her clothing and it is asked of her: 'Whither are you off to?' She will reply: 'I am going to visit the ill, or attend a burial or perform Salaat in the Masjid.' No woman can worship her Rabb better than in her home." Tibraani reports this narration in Kabeer and all the narrators are authentic. [Majmauz Zawaahid]

The following salient points are clearly gleaned from the above-mentioned Ahaadith:

(1). **There is no emphasis in the Shariah for women to attend the Masjid for congregational Salaat.** In fact, the contrary holds true that their Salaat performed at home is more virtuous. [Have a look at all the above Ahaadith.]

(2). The attendance of women in the Masjid during the era of Nabi (sallallahu alayhi wasallam) **was primarily due to consent and permissibility, and not owing to any virtue, emphasis or *istihbaab* (being Mustahab).** [Look at Hadith no. 4 and 5]

(3). Notwithstanding the consent granted to women to attend the Masjid, Nabi (sallallahu alayhi wasallam) actually **exhorted and taught that it is better and more virtuous that they perform their Salaat at their homes.** He would greatly encourage this and extol the virtues thereof. [See Hadith 4]

(4). The addition which appears in Hadith 4 by Haithami, clearly indicates that Hadhrat Umme Humaid (radhiallahu anha) practiced on the advice of Nabi (sallallahu alayhi wasallam) and performed her Salaat in the corner of her home for the rest of her life. This was true obedience to the guidance of Nabi (sallallahu alayhi wasallam) and fulfilment of his wishes.

(5). Hadith 10 clearly establishes the fact that Nabi (sallallahu alayhi wasallam) **deemed the emergence of women from their homes as an avenue and opening of *fitnah*,** and that their isolation in the innermost corners of their homes as being proximity to Allaah Ta`ala. This is the reason why Hadhrat Ibn Mas`ood (radhiallahu anhu) takes a firm oath that the Salaat of women in the corners of their homes is the most virtuous.

(6). The statements of Nabi (sallallahu alayhi wasallam) in Hadith 2, 3 and 4 clearly indicate that the Salaat of women in the remote corners of their homes is better than their Salaat in their rooms, and their Salaat in their rooms is better than their Salaat in their courtyards, and their Salaat in their courtyards is better than their Salaat in their local Masjid and their Salaat in their local Masjid is better than their Salaat in Masjid-e-Nabawi (sallallahu alaihi wasallam). Keeping these Ahaadith in before us, it is clear that the attendance of women for congregational Salaat in the Masjid during the era of Nabi (sallallahu alayhi wasallam) was not due to any virtue or greater reward, rather it was based on mere consent and permissibility.

How sad then is the state of those people who call women to the Musaajid and encourage them to perform their Salaat in congregation. **They are actually exhorting opposition to the teachings and wishes of Nabi (sallallahu alayhi wasallam).** To further exacerbate the issue they deem this a Sunnat, and they regard their actions as being a revival of the Sunnat!

If it had been Sunnat for women to attend the Masjid for congregational Salaat, why then did Nabi (sallallahu alayhi wasallam) teach that a woman's Salaat in her local Masjid is better than her Salaat in Masjid-e-Nabawi and that her Salaat in her home is better than her Salaat in her local Masjid? It is obvious then that a woman's Salaat performed in isolation in her home would be an omission of the Sunnat. Is the reward in practising a Sunnat greater or omitting it? It will then be as though Nabi (sallallahu alayhi wasallam) is encouraging an omission of a Sunnat by encouraging women to perform their Salaat in their homes!

It is as though these people (who clamour for women attending the Masjid) regard themselves as being more virtuous than Nabi (sallallahu alayhi wasallam) and that their Musaajid hold greater virtue than Masjid-e-Nabawi!

(7). One Salaat performed in Masjid-e-Nabawi is, according to the narration of Hadhrat Anas (radhiallahu anhu), equal to the reward of 50 000 Salaat (performed anywhere else, besides the Haram).

Hadith 12

Hadhrat Anas bin Maalik (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"The Salaat of a man in his house is equal to a single Salaat…and his Salaat in my Masjid is equal to 50 000 Salaats."* [Ibn Majah / Mishkaat Shareef]

Notwithstanding the great reward of performing Salaat in Masjid-e-Nabawi, the Salaat of women performed in their local Musaajid is more rewarding for them, and their Salaat performed in the courtyard of their homes is more rewarding than even their Salaat in their local Musaajid. Their Salaat in their rooms holds more virtue for them than their Salaat in their verandas and their Salaat in the remote corner of their homes bears more reward for them than their Salaat in their rooms.

This much is abundantly clear that as a woman sheds her concealment, her reward is proportionately decreased. Why is this?

The reason is simple – the further a woman goes from her home, the greater the possibility of fitnah increases. There is no other reason for the decrease in reward for women. Just take a look…when a man travels further from his home, his reward increases, because there is no fear of fitnah in his emergence from the home.

Hadith 13

Hadhrat Abu Moosa Ash`ari (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"Those who receive the greatest reward for their Salaat are those who travel the furthest (to the Masjid) and more than them are those who travel an even greater distance."* [Bukhaari Shareef / Muslim Shareef]

Hadith 14

Hadhrat Jaabir (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said to Bani Salmah who intended moving closer to the Masjid, *"Remain in your places. You are being rewarded for every step you take (towards the Masjid). Remain in your places. You are being rewarded for every step you take (towards the Masjid)…"* [Muslim Shareef]

The consent and permissibility granted to women to attend the Masjid was not without conditions. They were forbidden from wearing perfume, donning gaudy clothing, excessive jewellery, etc.

Refer to the following Ahaadith:

Hadith 15

Hadhrat Zainab Thaqafiya (radhiallahu anha) reports that Nabi (sallallahu alayhi wasallam) said, *"When a woman emerges for Esha Salaat, then she should not apply scent."* [Ibn Hibbaan]

Hadith 16

Hadhrat Zainab Thaqafiya (radhiallahu anhu) further reports that Nabi (sallallahu alayhi wasallam) said, *"When any of you women present yourself for Esha Salaat, then you should not don perfume that night."* [Muslim]

Hadith 17

Hadhrat Zainab (radhiallahu anhu), the wife of Abdullaah reports that Nabi (sallallahu alayhi wasallam) said to the women, *"When any of you present yourself in the Masjid, then you should not don perfume."* [Muslim Shareef]

Hadith 18

Hadhrat Abu Hurairah (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"Do not prevent the female slaves of Allaah from attending the Masjids of*

Allaah, but they should emerge (from their homes) in the state that their bodies are pungent." [Abu Dawood]

The Arabic word, *tafilaat* which is used in this Hadith means unscented. A woman is described as *tafilatun* when her body exudes an unscented (pungent) odour. This has been stated by Ibn Abdil Barr, etc. Shaukaani states that the word *tafila* refers to a stench. A woman who is described as *imra`atun tafilatun* means that she is unscented. [Aunul Ma`bood]

All such factors are included under the term scented which leads to attraction, like smart gaudy clothing, external display of jewellery, and a pompous exhibition of beauty. [ibid.]

All these narration clearly show that women were permitted to attend the Masjid, provided they adhered to these conditions. It is also clear that if they do not practice on these advices they are acting contrary to the injunctions of Nabi (sallallahu alayhi wasallam).

Can it honestly be said that the women of today who may attend the Masjid for the five daily Salaat or for the Eid Salaat, would adhere to these conditions? Will they not come out in their splendour and beauty? Will they not wear and make a display of their jewellery? Will they ever be able to come in their scruffy unscented clothes?

If anyone, for argument sake, says that a woman can adhere to all these conditions, in present times, then we would kindly refer our readers to peruse chapter 3 in this treatise.

Summary

Any intelligent person who studies all these narrations will have no doubt that the attendance of women in the Masjid during the time of Nabi (sallallahu alayhi wasallam) was merely due to consent and permissibility. It was not because of any special virtue or reward.

Nevertheless, the so-called adherents of the Hadith who have sprung up in recent times, understand that women are supposed to attend the Masjid for congregational and Eid Salaat. They deem it a Sunnat, nay Sunnat-e-Muakkadah!

Everyone is well aware that one who omits a Sunnat-e-Muakkadah is worthy of censure and one who continuously omits it is liable for punishment. Just like it is Sunnat-e-Muakkadah for men to attend the Masjid for congregational Salaat and if any man does not go to the Masjid, he will be censured. If a man persists in his abandonment of congregational Salaat in the Masjid, then he is liable for punishment (in an Islamic State).

Rasulullaah (sallallahu alayhi wasallam) intended to incinerate the homes of those men who do not attend the Esha Salaat in the Masjid. Why was this? Because these people had become habituated to missing the Esha Salaat in the Masjid with congregation.

Therefore if congregational Salaat in the Masjid was binding on women, then Hadhrat Umme Humaid (radhiallahu anha), who had continued performing her Salaat in the remote corner of her home until she died, would have been liable for punishment.

In fact, if congregational Salaat for women in the Masjid was (even) Mustahab or more rewarding, then Nabi (sallallahu alayhi wasallam) would never have encouraged Hadhrat Umme Humaid to perform her Salaat at home, considering the fact that she was desirous and eager to perform her Salaat behind Nabi (sallallahu alayhi wasallam).

We will now present some of the narrations cited by the so-called followers of the Hadith, which they harp on and use as proof to exhort women to attend the Musaajid and which they claim are proofs that this is Sunnat. We will explain the import of these narrations and place them in proper context.

Hadith 19

Do not prevent women from attending the Masjid if they ask for permission from you.

Hadith 20

A man should not prevent his womenfolk from attending the Masjid. [Ahmad]

Hadith 21

Do not prevent your womenfolk from the Masjid. [Abu Dawood]

Hadith 22

If the wife of any of you requests permission to attend the Masjid, you should not prevent her. [Bukhaari Shareef / Muslim Shareef]

These narrations are written such in *Eid Ahmedi*. We have transcribed them here verbatim. What do these narrations actually say? **They are mere advices to the men not to prevent their womenfolk from attending the Masjid.** These narrations most certainly do not prove that the attendance of women in the Masjid for congregational Salaat is Mustahab or Sunnat-e-Muakkadah.

Since there was consent and permission for the women during the era of Nabi (sallallahu alayhi wasallam) to attend the Masjid for congregational Salaat, they therefore had the prerogative to practice on their rights. The men were therefore advised not to prevent them, which would have deprived them (the womenfolk) of what they were permitted to do.

Another point is that during that era there was a need for the women to attend the Masjid because they were **all in need of**

education. There was the need that they attend the Masjid and **witness the actions of Nabi (sallallahu alayhi wasallam) and learn from him directly.** If they need to know anything, they could ask for themselves. This is the reason why the men were told not to prevent the women from attending the Masjid. [As stated by Muhaddith Dehlwi (rahmatullah alayh)]

Thirdly, the era of Nabi (sallallahu alayhi wasallam) **was free from immorality and fitnah,** so the prevention of women from attending the Masjid was not done because of fear of fitnah but would have been **done to exercise authority and supremacy, displaying pride.** This is another reason why Nabi (sallallahu alayhi wasallam) advised men not to prevent the womenfolk from attending the Masjid. [As stated in Hujjatullaahi Baaligha]

Nevertheless, these narrations do not prove or indicate that congregational Salaat in the Musaajid for women is Mustahab or Sunnat.

Hadith 23

Hadhrat Ibn Umar (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"Give consent to your women to attend the Masjid* ***at nights.****"* [Bukhaari Shareef]

Hadith 24

Hadhrat Ibn Umar (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) said, *"If your women request permission to attend the Masjid at night, then grant them permission."* [Bukhaari Shareef]

All these Ahaadith only denote the permissibility of women attending the Masjid. Haafidh Ibn Hajar (rahmatullah alayh) states that if it was necessary and binding on women to attend the Masjid for congregational Salaat, then there would be no need or point in their requesting permission. [Fath-hul Baari]. Because there is no question about requesting permission from anyone to perform an obligatory act of ibaadat. This does not also prove *istihbaab*, as we have explained previously.

Hadith 25

Hadhrat Ibn Abbaas (radhiallahu anhu) reports that Rasulullaah (sallallahu alayhi wasallam) would take his wives and daughters with him for the Eid Salaat. [Baihaqi / Ibn Majah]

This narration also only proves that it was permissible for the women to attend the congregational Salaat during the era of Nabi (sallallahu alayhi wasallam), so Nabi (sallallahu alayhi wasallam) would take his family along with him.

However, his act of taking them with him does not prove *istihbaab* or Sunnat. An example of this can be seen in the following narration of Hadhrat Aishah (radhiallahu anha), which appears in Bukhaari Shareef:

Hadith 26

Hadhrat Aishah (radhiallahu anha) reports, *"Nabi (sallallahu alayhi wasallam) used to kiss his wives whilst in the state of fasting, and he could control his desires better than you people."* [Bukhaari Shareef / Muslim Shareef]

In another narration it is stated, *"Which of you can control his desires the way Nabi (sallallahu alayhi wasallam) could control his?"*

Notwithstanding this Hadith being authentic, it does not prove that it is Mustahab or Sunnat to kiss one's wife whilst fasting. In fact, Hadhrat Aishah (radhiallahu anha) indicates that it is best for others not to do as he (sallallahu alaihi wasallam) did, because Nabi (sallallahu alayhi wasallam) had full control over his desires and he would not go further than a kiss, whereas there is great possibility that another person would not stop at the kiss, hence it is best to exercise caution.

Hadith 27

Umme Atiyya (radhiallahu anha) states, *"We were instructed to go out (for the Eid Salaat), and also take those in haidh, the young girls and those in hijaab. As for those women in haidh they would be present for the congregation and dua, but not in the Salaat."*

Hadith 28

Hadhrat Umme Atiyya (radhiallahu anha) states that Nabi (sallallahu alayhi wasallam) said, *"Take the young girls and those in hijaab to the* ***Eid Salaat and the dua.*** *The women in haid should stay clear of the Salaat (area)."* [Ibn Majah]

These two narrations are the strongest proofs for the so-called followers of the Hadith, because they contain the explicit terms of command, which denote emphasis or at the very least *istihbaab*. Nevertheless, they misunderstand the import and real meaning of these narrations.

We will explain them in detail:

It is widely accepted that the expression of *amr* (positive command) is used in **three instances:** sometimes it expresses an denotes a **compulsion,** like *'Establish Salaat!'*, sometimes it denotes ***istihbaab*****,** like *'And eat therefrom and feed the poor and beggars..."* and sometimes it denotes **permissibility,** like

‘When you become Halaal (from ihram) then (you may) hunt’, and *‘Eat and drink…’*.

Although the actual application of *amr* is compulsion, but when it is established from the context that compulsion is not the intention, then we will turn our attention to *ibaahat* (permission) or *istihbaab*.

We will now consider the objective of the usage of *Amr* in calling the women out to the Eid Salaat. It should be kept in mind that **compulsion is most certainly not the intention because there is nothing which indicates towards this,** that it is Fardh for women to attend the Eid Salaat. The Eid Salaat and **attendance of the Eid Gah is not even Fardh on men, how then can it ever be Fardh for women?**

And since those who are inviting towards practice of this Hadith, themselves do not claim it to be Fardh, there is therefore no need for us to explain any further.

Now remains the matter as to whether it is Mustahab or not. We say that it is not Mustahab and cite the following reasons in substantiation:

Firstly, consider the statement of Rasulullaah (sallallahu alayhi wasallam) where he had clearly stated that the Salaat of women in the innermost corner of their homes is better than their Salaat in the Masjid. We have explained in detail regarding this issue. Nabi (sallallahu alaihi wasallam) had clearly stated that the Salaat of women in their homes is more virtuous than their

Salaat in Masjid-e-Nabawi (which boasts the reward of fifty thousand Salaat as compared to any Salaat performed elsewhere). We have also learnt that the reward for women decreases in proportion to their abandonment of concealment (see Hadith 3, 4, 5 and 6).

These factors (of abandonment of concealment) are clearly present on the occasion of Eid where they will be attending a large congregation, where their gazes will fall on the men and they will be outside in broad daylight. All these factors make it abundantly clear in the light of these narrations that their attendance for the Eid Salaat can never be classified as Mustahab. There is no exception stated in these narrations with regard to the Eid Salaat.

Secondly, is that the Jumuah and five times daily Salaat are Fardh and it is advisable and more virtuous for woman not to attend them in congregation so therefore since Eid Salaat which is not even Fardh it is all the more unadvisable for women to attend.

Thirdly, is that Nabi (sallallahu alaihi wasallam) did not mention any virtue or extra reward for women attending the Eid Salaat, wherefrom it can be established that the eid Salaat for women would be *Mustahab* or *Mustahsan.*

Now since we have established the *amr* is not a positive command denoting compulsion neither does it denote *Istihbaab* therefore we say it is only to show consent and permissibility. The actual import and intention of Nabi (sallallahu alaihi

wasallam) statement is that women be allowed to attend the Eid Salaat and if they wish to go they should not be prevented because it is permissible for them to attend. We also accede to the fact that women used to attend the congregational Salaat during the era of Nabi (sallallahu alaihi wasallam).

CHAPTER THREE

Does the consent and permissibility which existed during the era of Nabi (sallallahu alaihi wasallam) for women to attend the congregational Salaat still apply today or not?

It is clear and accepted by all that women were allowed to perform their Salaat in the Masjid during the era of Nabi (sallallahu alaihi wasallam). However the conditions of the society started deteriorating from the era of the Sahaabah (radhiallahu anhum), not long after the demise of Nabi (sallallahu alaihi wasallam). Immorality and fitnah started increasing, and the Sahaabah (radhiallahu anhum) had themselves started preventing women from attending the Masjid. This prohibition of theirs was based on and extracted from the teachings of Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam), as our readers have learnt earlier on.

The Hanafi Ulama have ruled that it is no longer permissible for women to attend the Masjid for congregational Salaat. In fact, for women to perform their Salaat in their homes was preferable and more virtuous during the era of Nabi (sallallahu

alaihi wasallam), but today it is necessary and obligatory for them to perform their Salaat at home. The proofs of the Hanafi Ulama are as outlined below:

FIRST PROOF:

Hadith 29

It has been reported that Hadhrat Aishah (radhiallahu anha) said, *"Had Nabi (sallallahu alaihi wasallam) witnessed the condition of women (today-i.e. during the time of Hadhrat Aishah – radhiallahu anha) he would have prevented them from the Masjid just like the women of the Bani Israeel were prevented."* [Bukhaari Shareef]

Hadith 30

The women of the Bani Isareel being prevented from the Masjid has been established from the Hadith of Hadhrat Urwah from Aishah (radhiallahu anha) *marfoo`an.* Abdur Razzaaq has cited it with an authentic *sanad* and his words are: *She said, 'The women of the Bani Israeel used to make feet (stilts) from wood so they could ogle at the men in the Masjid (owing to their height advantage). Allaah Ta`ala then made their attendance in the Masjid Haraam, and* ***He decreed upon them (subjected them to) haidh.'***

Although this Hadith is *mauqoof* on Hadhrat Aishah (radhiallahu anha), it is nevertheless, classified as *marfoo`*, because such things cannot be said from one's own opinion or *qiyaas*.

Haafidh Ibn Hajar, Qaadhi Shaukaani, Allamah Zurqaani (the commentator of *Muwatta Maalik*), the author of *Aunul Ma`bood* (rahmatullahi alaihim) had all classified Hadith 30 as *marfoo`*. They accepted the Hadith as being authentic. The following salient points are learnt from this Hadith:

(1). The women of the Bani Israeel used to attend the Masjid for Salaat. They were permitted to do so.

(2).(3). Since we have established from an authentic Hadith that the women of the Bani Isra'eel were prohibited from attending the Masjid owing to immorality which crept into their societies, it follows that this ruling also applies to the Ummat e Muhammadiyyah and that it is Haraam for women to attend the Masjid because immorality and fitnah have become the order of the day.

(4). In Hadith 29, Hadhrat Aishah (radhiallahu anha) states that the condition of the women started deteriorating after the demise of Nabi (sallallahu alaihi wasallam), and had he witnessed what was happening he would most certainly have prohibited the women from attending the Masjid, just as the women of the Bani Israeel were prohibited.

It has thus been established from the Hadith of Hadhrat Aishah (radhiallahu anha) that immorality and fitnah had started creeping into the Muslim society, and it has further been established that immorality and fitnah are the reasons for Allaah Ta`ala decreeing the prohibition of women from attending the Masjid, as had been seen regarding the women of the Bani Israeel. It follows then that the ruling of the prohibition of women, of the Ummat of Muhammad (sallallahu alaihi wasallam), from attending the Masjid, is also according to the Desire and Wish of Allaah Ta`ala.

Any ruling which was decreed for the previous Ummats, if it had not been abrogated for our Ummat, its relevance will apply to us as well. Whatever was binding on the previous Ummats (as long as it has not been abrogated for us), will apply to us as well. As Allaah Ta`ala states in the Qur`aan Majeed, addressing Nabi (sallallahu alaihi wasallam),*"And their (the previous Ambiyaa) guidance, you should follow."* [Surah In`aam, Aayat 90]

Hadith 31

Hadhrat Ibn Abbaad (radhiallahu anhu) stated, *"Your Nabi (sallallahu alaihi wasallam) is amongst those who instructed the obedience to the previous Ambiyaa."* [Bukhaari Shareef]

Since the Divine Scriptures which were revealed to the previous Ambiyaa (alaihimus salaam) are non-existent today in

their true forms, it is not possible or binding upon us to follow their teachings. There is no certainty that the injunctions which exist today (in the other religious books) are from Allaah Ta`ala, however as for those Divine Commands which were decreed on the previous Ummats as told to us by Nabi (sallallahu alaihi wasallam), they would be binding upon us just as the Commands which were decreed directly upon us, as long as they have not been abrogated.

Since this Hadith which states that the women of the Bani Isra'eel were prohibited from attending the Masjid owing to immorality which crept into their societies, is an authentic Hadith, it follows that this ruling also applies to us and that it is Haraam for women to attend the Masjid because immorality and fitnah have now become the order of the day.

This proof is crystal clear and there is no doubt in it, because it comprises two authentic Ahaadith and one Qur`aanic Aayat. Nevertheless it is possible that some people may object to certain aspects thereof, therefore we will deal with these objections in detail.

Objection 1

The rulings of the previous Ummats would only be binding upon us if no contrary ruling exists in our Shariah. Our Shariah has permitted women to attend the Masjid which cancels and abrogates the ruling of prohibition of the previous Ummats. It

is as though you are now proving the matter with an abrogated ruling.

Reply

This notion is incorrect because this Hadith proves that the women of the Bani Isra'eel used to attend the Masjid and they were permitted to do so. However when they begun acting immorally and the *fasaad* started spreading, that is when their attendance was made Haraam. This ruling has not been abrogated in our Shariah.

It should be understood that the permission for women to attend the Masjid applies only on the condition that there is no fear of *fitnah* and *fasaad*, and the permission which was granted to them was done during an era which was free of *fitnah* and *fasaad*. This fact did not abrogate the ruling of prohibition, which was initially promulgated due to *fitnah* and *fasaad*.

The era of Nabi (sallallahu alaihi wasallam) was free of *fitnah* and *fasaad,* which was the causative factor in the ruling of prohibition. This is clearly established in Hadith 29 of Hadhrat Aaisha (radhiallahu anha) where she states, *"Had Nabi (sallallahu alaihi wasallam) witnessed the condition of women today* ...this statement of hers clearly implies that the *fitnah* and *fasaad* had not existed during the era of Nabi (sallallahu alaihi wasallam). Therefore the consent which was granted (during the time of Nabi (sallallahu alaihi wasallam)) was most

certainly in an atmosphere contrary to when the prohibition was decreed (for the Bani Israeel).

Objection two

It will not be correct to say that the era of Nabi (sallallahu alaihi wasallam) was free of *fitnah*, because there were some people who would purposely stand in the back rows so that they could ogle the women and there were other pious persons who wish to go to the front so that their gazes do not fall on the women. Regarding them this Aayat was revealed, *"And indeed We are aware of those amongst you in the front and indeed We are aware of those who remain behind."* [Surah Hijr, Aayat 24]

It has been reported in Tirmidhi Shareef that during the era of Nabi (sallallahu alaihi wasallam) a Sahaabi once raped a woman, and another man was accused of it. Nabi (sallallahu alaihi wasallam) ordered that he be stoned to death. The true perpetrator felt guilty that another person be punished for his crime, so he admitted guilt and was punished accordingly.

When such incidents were reported to have taken place during the era of Nabi (sallallahu alaihi wasallam), then how will it be correct to say that the consent (for women to attend the Masjid) was granted because it was an era which was free from *fitnah*, and that because of the *fitnah* which crept in later caused the ruling of prohibition?

Reply 1

The ruling which made it Haraam for the women of the Bani Israeel to attend the Masjid was issued because of the immorality and *fasaad* which crept into the society. The statement of Hadhrat Aaishah (radhiallahu anha) clearly indicates that new acts of immorality had begun to surface after the demise of Nabi (sallallahu alaihi wasallam). If we combine these two narrations then it becomes abundantly clear that the *fitnah* and *fasaad* which was the causative factor in the ruling of prohibition, was the *fasaad* (mischief) that existed in the intentions of the women. The Aayat and Hadith cited in the objection above relates to and establishes the immorality that existed in the men, not women. Therefore these incidents fall beyond the ambit of this discussion.

The fact of the matter is that if the intentions of women are clean and clear then the harms which result from the immorality perpetrated by men are not as severe as when these immoralities are initiated by the women. This is the reason why the ruling of prohibition for the women of the Bani Israeel was only decreed when they showed signs of immorality. Similarly, the ruling of prohibition for the women of this Ummat was decreed when the immorality amongst women began.

Reply 2

The occurrence of one or two isolated incidents during the era of Nabi (sallallahu alaihi wasallam) does not render the entire era as being one of *fitnah* and *fasaad.* An era will be classified as being one of *fitnah* and *fasaad* when such incidences occur regularly and become the order of the day. It is clearly understood from the Hadith of Hadhrat Aishah (radhiallahu anha) that such conditions started prevailing after the demise of Nabi (sallallahu alaihi wasallam).

Proof 2

There is another way of extracting a proof from the Hadith of Hadhrat Aishah (radhiallahu anha). She states, *"Had Nabi (sallallahu alayhi wasallam) witnessed the condition of women today, he would certainly have prevented them from attending the Masjid."* [Agreed upon]

This narration clearly proves that such immorality as had crept up after the demise of Nabi (sallallahu alayhi wasallam) was non-existent during his blessed era. The condition deteriorated after Nabi's (sallallahu alayhi wasallam) demise, therefore the import of Hadhrat Aishah's (radhiallahu anha) statement is that these newly developed conditions render the ruling of prohibition necessary. The use of *laam takeed* in her words denote the emphasis, that is, that Nabi (sallallahu alayhi

wasallam) would *most certainly* have prohibited women from attending the Masjid.

This statement of Hadhrat Aishah (radhiallahu anha) proves that the condition of the women deteriorated after the demise of Nabi (sallallahu alayhi wasallam) and it also establishes the ruling of prohibition. It follows that when the condition of the women deteriorated, the ruling of prohibition comes into place.

Objection 1

Haafidh Ibn Hajar (rahmatullah alayh) objects to this proof in *Fat-hul Baari* by stating that a general prohibition for women cannot be deduced from this narration, because Hadhrat Aishah (radhiallahu anha) had based the ruling of prohibition on such a condition which did not exist, therefore the ruling of prohibition does not come into existence. It can be said that Nabi (sallallahu alayhi wasallam) did not see the condition of the women hence he did not prohibit them, therefore the permission for their attendance in the Masjid still exists.

Reply

Haafidh Ibn Hajar (rahmatullah alayh) is correct is stating that Nabi (sallallahu alayhi wasallam) did not witness these conditions (of the immorality in women), therefore he (sallallahu alaihi wasallam) did not prohibit them. However, his

concluding that the ruling of permission still exists, requires some consideration. We had established earlier on that the statement of Hadhrat Aishah (radhiallahu anha) established that the deteriorating condition of the women is the causative factor in the ruling of prohibition, so how can Haafidh Ibn Hajar conclude that, notwithstanding the deteriorating condition of women, the ruling of permissibility still prevails?

However if Haafidh Ibn Hajar's view is that the immorality of women does not necessitate their prohibition from the Masjid, then we have two answers for him:

Firstly, is that we intend using the narration of Hadhrat Aishah (radhiallahu anha) as our proof. This narrations clearly states the mutual necessity that Hadhrat Aishah (radhiallahu anha) regarded the introduction of immorality amongst women as being the causative factor in prohibiting them from attending the Masjid. Haafidh Ibn Hajar does not accept this. We accept the statement of Hadhrat Aishah (radhiallahu anha) as opposed to the opinion of Haafidh Ibn Hajar.

Secondly, the ruling of prohibition indicated to by Hadhrat Aishah (radhiallahu anha) that the immorality in women necessitated their prohibition from the Masjid, was not the result of her opinion, in fact, she deemed it as a Divine Injunction. The Hadith regarding the women of the Bani Israeel, was a strong proof for her. Since it has been established that the immorality of women and the ruling of their prohibition from the Masjid are mutually necessary, how can the averment

of Haafidh Ibn Hajar ever be correct that since Nabi (sallallahu alayhi wasallam) did not see it he did not rule against it, so the initial permissibility still exists?

A similitude would be that of the case of grape wine. The ruling: *If it intoxicates then its consumption is Haraam*, is completely correct. However if someone says, *If it does not intoxicate then it is not Haraam, therefore this ruling (of it being Halaal) will continue* – how can this ever be correct and acceptable? That is, the ruling of permissibility still exists even after intoxication occurred and the ruling of prohibition does not apply. Thing view is spurious and completely incorrect.

Objection 2

Haafidh Ibn Hajar (rahmatullah alayh) had also raised this objection that if the increase in immorality rendered the attendance of women in the Masjid Haraam, then Allaah Ta`ala knew this would happen, so why did He not decree the prohibition in the first place?

Reply 1

Allaah Ta`ala most certainly knew that immorality would increase, nevertheless, it had not yet been prevalent at the time, so there was no need to issue the prohibition. There is no incumbency to issue a ruling before the needs arises, otherwise

Haafidh Ibn Hajar (rahmatullah alayh) would not be able to evade the queries which would arise regarding the rulings issued on various relevant occasions. For example, the ruling of tayammum was revealed on the occasion of Hadhrat Aishah (radhiallahu anha) losing her necklace on a journey. It occurred in such a place where there was no water. The people became restless and they complained to Hadhrat Abu Bakr (radhiallahu anhu), who in turn chastised Hadhrat Aishah (radhiallahu anha). She was greatly grieved. It was on that occasion that the ruling of tayammum was revealed.

Now if anyone were to ask Haafidh Ibn Hajar that since Allaah Ta`ala was aware that such occasions will arise where water will not be available, why did He not reveal the rulings of tayammum before the need arose?

Just like this, there are countless occasions where rulings were issued on the 'spur of the moment' and on specific occasions for specific incidences. If Haafidh Ibn Hajar were to be asked regarding all of them, then whatever reply he offered would also apply to this issue at hand.

Reply 2

Indeed Allaah Ta`ala was aware that immorality was to become prevalent. He had also issued the ruling of prohibition on a previous occasion for the same thing, when the condition of the women of the Bani Israeel deteriorated. This very same ruling

also applies to our Ummat, which applied to the previous Ummat. The fact that Allaah Ta`ala had informed Nabi (sallallahu alayhi wasallam) of His decree for the Bani Israeel was sufficient enough for us to deduce the relevance of the ruling for us.

Objection 3

Haafidh Ibn Hajar (rahmatullah alayh) had also raised this objection that if the ruling of prohibition followed the introduction of *fitnah*, then this should only apply to those women who are guilty of perpetrating *fitnah* and not to all women in general.

Reply

When *fitnah* and immorality creeps in to the society, then it becomes very difficult if not impossible to pinpoint the culprits and guilty ones. If only some women are allowed into the Masjid then the others would formulate some plan or the other to get themselves admitted. It will be practically impossible to regulate the flow of women into the Masjid. Can guards be placed at the doors of the Musaajid and be able to sift out the acceptable from the unacceptable? Can anyone look into the hearts and intentions of others? Immorality is something which is not always apparent. It is amongst the hidden traits and only Allaah Ta`ala is *Aaalimul Ghaib* (Knower of the unseen). **A**

general and blanket prohibition for all women has been decreed so as to close all the doors of *fitnah*. A similarity of this can be found in the incident in the life of Nabi (sallallahu alayhi wasallam) where the munaafiqeen and jews would present themselves in Nabi's (sallallahu alayhi wasallam) presence and they would say, *Raa`ina*, which had a derogatory meaning and implication. The Muslims would also say the same word when in Nabi's (sallallahu alayhi wasallam) presence, which in their case meant, *Look at us.*

Now since there was no apparent means of knowing who meant what, a general prohibition of the usage of this word was issued by Allaah Ta`ala in the Qur`aan Majeed, *"O You who believe! Do not say, Raa`ina, (but rather) say 'Unzur na' (Look at us)."* [Surah Baqarah, Aayat 104]

The same applies here, that since we cannot distinguish between the well-intending women and immoral ones, a general ruling of prohibition was issued. The narration regarding the women of the Bani Israeel also shows that a general prohibition was issued which applied to all the women. This objection of Haafidh Ibn Hajar is also incorrect.

Proof three

Hadith 32

Hadhrat Abdullaah ibn Mas'ood (radhiallahu anhu) reports, *"The men and women of the Bani Israeel used to perform Salaat in congregation. If any of the women had a (male) friend, she would wear stilts so that she could be taller and could see him. Allaah Ta`ala then subjected them (the women) to haidh."* Hadhrat ibn Mas'ood (radhiallahu anhu) used to say, *"Expel them (i.e. the women) from the Masjid, just as Allaah Ta`ala had expelled the others."* [Majmauz Zawaaid - Haafidh Haithami said that all the narrators are authentic and reliable]

Hadith 33

Hadhrat Abu Amr Shaibaani reports that he saw Hadhrat Abdullaah ibn Mas'ood (radhiallahu anhu) expelling women from the **Masjid on the day of Jumuah,** saying, *"Go to your homes, it is better for you."* [Majmauz Zawaaid - Haafidh Haithami said that all the narrators are authentic and reliable]

The following points are clear from these narrations:

1. Hadhrat Abdullaah ibn Mas'ood (radhiallahu anhu) ejected women from the Masjid on the day of Jumuah

2. He would advise the people to eject the women from the Masjid.

3. Citing the incident of the women of Bani Israeel that they were expelled from the Masjid because of their immorality and *fasaad* he instructed the Muslims to do likewise.

Hadith 33 of Hadhrat ibn Mas'ood (radhiallahu anhu) is *marfoo',* its *sanad* is reliable and it is similar in meaning to the narration of Hadhrat Aaishah (radhiallahu anha), therefore it is clearly established from these two narrations that it is the will and decree of Allaah Ta`ala that women be banned from the Masjid when they engage in immoral acts and *fasaad* increases. Their attendance in the Masjid would be Makrooh-e-Tahrimi.

We now take a look at those Sahaabah (radhiallahu anhum), Taabieen, Mujtahiddeen and Muhadditheen (rahmatullahi alaihim) who regarded the attendance of women in the Masjid as being Makrooh after the demise of Rasulullaah (sallallahu alayhi wasallam).

Hadith 34

Hadhrat ibn Umar (radhiallahu anhu) reports, *"The wife of Umar (radhiallahu anhu) used to attend the Fajr and Esha Salaat in congregation in the Masjid. It was said to her, 'Why do you come out of the house when you know that Umar*

dislikes it.' She replied, 'What prevents him from stopping me?' They told her, 'The statement of Rasulullaah (sallallahu alayhi wasallam): 'Do not prevent the female slaves of Allaah Ta`ala from the Musaajid of Allaah Ta`ala.'''" [Bukhaari Shareef / Ibn Abi Shaibah / Kanz]

From this narration we understand that Hadhrat Umar (radhiallahu anhu) regarded the attendance of women for Fajr and Esha Salaat in the Masjid as Makrooh. His reason was that there was a fear of *fitnah.*

This narration appears thus in Muwatta Imaam Maalik that when this wife of Hadhrat Umar (radhiallahu anhu) requested his consent to attend the Masjid, he remained silent.

However, the narration in Bukhaari Shareef makes it clear that the silence of Hadhrat Umar (radhiallahu anhu) was not one of consent, in fact it was one of abomination and distaste. Allaamah Zurqaani states regarding this silence of Hadhrat Umar (radhiallahu anhu) in the commentary of Muwatta, *"He remained* ***silent because he disliked her emergence for Fajr and Esha Salaat."***

The objection may be raised that if Hadhrat Umar (radhiallahu anhu) disliked his wife's emergence then why did he not prevent her. The reason for this is that this wife of Hadhrat Umar (radhiallahu anhu) was Aatika, the daughter of Zaid and at the time of her Nikah with Hadhrat Umar (radhiallahu anhu), she made the condition that he not prevent her from attending the Masjid for congregational Salaat. This is the reason why he

did not prevent her, lest it be a breach in his agreement. Nevertheless, this did not prevent him from disliking her action or his regarding it as Makrooh.

Someone may say that since he regarded this as Makrooh, then why did he agree to this condition in the first place when he made the Nikah?

The reply to this objection is that at the time of his making Nikah, the condition of women had not deteriorated to the low ebb which warranted their prohibition from the Masjid, hence at that time he did not regard their attendance in the Masjid as Makrooh. It was only later that the condition of women deteriorated that he deemed their emergence as Makrooh, but owing to his initial agreement with her, he did not wish to breach his contract.

As for the reason cited for his not preventing his wife from attending the Masjid being the statement of Nabi (sallallahu alaihi wasallam), it is not proven that this was his reason. This was merely the opinion of the people around him. Another point is that if this was his reason, then how is it that he regarded the emergence of women to the Masjid as Makrooh, when Nabi (sallallahu alaihi wasallam) had allowed their attendance?

His regarding the attendance of women in the Masjid as Makrooh was because of the rise and preponderance of *fitnah* and *fasaad*, and his not preventing his wife was in fulfilment of his agreement with her. To regard it as Makrooh because of the

fitnah and *fasaad* is not in opposition to the statement of Nabi (sallallahu alaihi wasallam), *"Do not prevent the female slaves of Allaah Ta`ala from the Musaajid of Allaah Ta`ala."*

The fourth view is that it (women attending the Eid Salaat) is Makrooh. This has been reported by Tirmidhi from Thouri and Ibn Mubaarak. It is also the view of Maalik and Abu Yusuf. Ibn Qudaama reported it from Nakha`ee and Yahya bin Saeed Ansaari. [Neelil Autaar]

Our (Shaafi) companions have stated: It is Mustahab to take only those women to the Eid Salaat who are not attractive and eye-catching and not those that are. Our reply to the narration which endorses taking the young women and those who are in hijaab to the Eid Salaat is that the blessed era (of Nabi - sallallahu alaihi wasallam) was free from fitnah and fasaad, contrary to the present times. It has been established from Hadhrat Aishah (radhiallahu anha) through an authentic sanad that she said, 'Had Nabi (sallallahu alaihi wasallam) witnessed the condition of the women today, he would most certainly have prohibited them from the Masjid just as the women of the Bani Israeel were prohibited.'

Qaadhi Iyaadh stated, 'The Salaf have differed regarding the emergence of women for the Eid Salaat. A group amongst them regarded it as their (women's) right. Amongst them was Hadhrat Abu Bakr, Ali, Ibn Umar, etc. There were those who prohibited them from attending. Amongst them was Urwah, Qaasim, Yahya Al-Ansaari, Maalik and Abu Yusuf. Imaam Abu

Hanifah consented to their attendance once and prohibited it later. [Nawawi / Aunul Ma`bood]

Amongst the reasons which make absence from the congregational Salaat permissible is fear of fitnah, like if a woman applies perfume and attends. There is no difference of opinion between the statement of Nabi (sallallahu alaihi wasallam), 'If the wife of any of you seeks consent to go to the Masjid, you should not prevent her', and the ruling of the majority of the Sahaabah (radhiallahu anhum) in preventing the womenfolk from attending, because the preventive factor which is referred to in the Hadith is the ghairat (sense of honour) which stems from pride. The Sahaabah (radhiallahu anhum) prevented their women from attending the Masjid because of their ghairat which stemmed from fear of fitnah, and this is permissible. [Hujjatullahil Baaligha, vol. 2, page 26]

These excerpts clearly show those persons who prohibited women from attending the Masjid for the five times daily Salaat and for the Eid Salaat. They regarded the attendance of women as Makrooh.

They were:

The majority of the Sahaabah (radhiallahu anhum) – *Hujjatullahil Baalighah*

Hadhrat Aishah (radhiallahu anha) – Hadith 29 and 30

Hadhrat Abdullaah Ibn Mas`ood (radhiallahu anhu) – Hadith 32 and 33

Hadhrat Umar (radhiallahu anhu) – Hadith 34

Sufyaan Thouri and Abdullah Ibn Mubaarak – *Tirmidhi*

Imaam Maalik, Imaam Abu Yusuf, Ibrahim Nakha`ee and Yahya Saeed Ansaari – *Neelil Autaar*

The nephew of Hadhrat Aishah (radhiallahu anha), Hadhrat Urwah bin Zubair, Qaasim and Imaam Abu Hanifah (rahmatullahi alaihim ajmaeen) -- *Nawawi and Aunul Ma`bood*

From the above discussion the readers will clearly understand that the first persons who had prevented women from attending the Masjid for the congregational Salaat were the Sahaabah (radhiallahu anhum). The reason and causative factor that spurred this ruling is the Desire of Allaah Ta`ala that women be prevented from the Masjid as He had decreed for the women of the Bani Israeel. This prohibition has been transmitted down the ages from the time of the Sahaabah (radhiallahu anhum) until this day, as has been discussed earlier.

Important Note 1

The Ahaadith which have been cited in the second chapter that the best place for a woman to perform her Salaat is the innermost corner of her house and also that her Salaat in her

home is more virtuous for her than her Salaat in Masjid-e-Nabawi should not leave any woman dejected or forlorn, thinking that she is deprived of the great reward of performing Salaat in Masjid-e-Nabawi. We present hereunder two points which should be consoling to them:

Firstly, they should not feel dejected or deprived. In fact they should feel elated that Allaah Ta`ala had bestowed on them more reward for performing their Salaat in their homes, than having to perform it in the Masjid-e-Nabawi. [See Hadith 4]

Men need to walk and go there to acquire the reward, **whereas women attain more reward by just remaining in their homes and performing their Salaat.** This is actually an occasion of happiness and celebration for women and not one of sadness and grief.

Secondly, Allaah Ta`ala had reserved the emergence from the home and mixing in gatherings especially for men. Like this there are many posts and duties which are specifically for men, like participation in Jihaad, delivering sermons, Khutbah, Imaamat, etc.

It would be impermissible for women to be jealous or display greed for that which Allaah Ta`ala had not decreed for them this applies also to congregational Salaat. The fact of the matter is that sometimes we may regard something to be very great and rewarding, but we need to first subject our desires to the desires of Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam). Whatever they have decreed for us, that is better for

us and not what we deem as being better. Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam) had ruled that the Salaat of women in their homes is better for them than their Salaat in the Masjid, therefore it is necessary that women subject themselves to this decree and practice subservience to it.

Women should believe that their Salaat performed in their home is better for them, thereby adopting subservience to the Will of Allaah Ta`ala and His Rasool (sallallahu alaihi wasallam) and they should abandon their personal notions that congregational Salaat is better for them.

Important Note 2

Many so-called followers of the Hadith present the deceptive argument for people that, in view of the consent of Nabi (sallallahu alaihi wasallam), the prohibition of the Sahaabah (radhiallahu anhum) are unacceptable. They say that the statements of the Sahaabah (radhiallahu anhum) does not negate Hadith-e-Marfoo`

This is one false and deceptive argument. The fact of the matter is that the statement of the Sahaabah (radhiallahu anhum) would not be accepted against a Hadith-e-Marfoo` only if there is a contradiction between the two, and if this contradiction cannot be resolved. This is not the case here. In fact the statement and consent of Nabi (sallallahu alaihi wasallam) applies to an environment which is free from *fitnah* and *fasaad*,

and the ruling of the Sahaabah (radhiallahu anhum) applies to the presence of *fitnah* and *fasaad*, as is made abundantly clear from the Hadith of Hadhrat Aishah (radhiallahu anha). There is absolutely no contradiction between the statement of Nabi (sallallahu alaihi wasallam) and the ruling of the Sahaabah (radhiallahu anhum) in this case.

Another point is that this prohibition is not merely based on the statement and actions of the Sahaabah (radhiallahu anhum), in fact Hadith 5 which is *marfoo`*, shows that in an environment of *fitnah* and *fasaad* the ruling of prohibition is decreed by none other than Allaah Ta`ala Himself.

واخر دعونا ان الحمد لله ربّ العالمين

والصلاة والسلام علي رسوله محمّد واله واصحابه اجمعين

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